

Nancy Curry
Chapter 13 Standing Trustee
1000 Wilshire Blvd., Suite 870
Los Angeles, CA 90017
(213) 689-3014 FAX (213) 689-3055

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION	
In re GHIUZELIAN, ROBERT DANIEL Debtor	CHAPTER 13 CASE NO. 2:22-bk-10162-VZ NOTICE AND TRUSTEE'S MOTION TO DISMISS CHAPTER 13 CASE BY STANDING TRUSTEE BECAUSE OF DELINQUENT PLAN PAYMENTS PURSUANT TO 11 USC §1307(c)(1) NO HEARING REQUIRED

PLEASE TAKE NOTICE that Nancy Curry, Chapter 13 Trustee, will and hereby does move the Court for an order dismissing this case because payments are delinquent.

DEADLINE FOR OPPOSITION AND REQUEST FOR HEARING

Pursuant to Local Bankruptcy Rule 9013-1(o)(1), any party objecting to this motion must file and serve a written response and request for hearing of this motion. If you fail to file a written response within fourteen (14) days of the date of service of this notice and motion, the Court may treat such failure as a waiver of your right to oppose this motion and may grant the requested relief.

DATED: March 8, 2023

/s/ Nancy Curry

I, Nancy Curry, declare as follows:

1. I am the Trustee in this matter and I have personal knowledge of files and records kept by my office in the regular course of business. I have personally reviewed the files and records kept by my office in the within case. The following facts are true and correct and within my own personal knowledge and I could and would testify competently thereto if called upon to do so.
2. I recommend that the Court dismiss this case because the Debtor has failed to tender all payments required by the confirmed plan as evidenced by the attached receipt history which is incorporated herein by reference, 11 USC § 1307(c)(i), LBR 3015-1(k).

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on March 8, 2023.

/s/ Nancy Curry

Status as of 3/8/2023

2210162-VZ

GHIUZELIAN, ROBERT DANIEL

53 MEADOW VIEW DR.
POMONA CA 91766

Atty: BENJAMIN R HESTON

47 Rmng of 60 Mos.

Payment: \$1,561.00 Per M

First Pmt Date 02/11/2022 Delinquent \$9,366.00

Check	Batch Id	Date	Amount Paid	Src	Type	Description	Employer
106202211	22100007	10/06/2022	\$1,561.00	TF	TFS Billpay	Monthly Plan Payment	
722202256	22070035	07/22/2022	\$4,683.00	TF	TFS Billpay	Monthly Plan Payment	
5232022127	22050036	05/23/2022	\$1,561.00	TF	TFS Billpay	Monthly Plan Payment	
519202234	22050030	05/19/2022	\$1,561.00	TF	TFS Billpay	Monthly Plan Payment	
224202236	22020036	02/24/2022	\$1,561.00	TF	TFS Billpay	Monthly Plan Payment	
Total		\$10,927.00					

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

Nancy Curry, Chapter 13 Trustee
1000 Wilshire Blvd., Suite 870
Los Angeles, CA 90017

A true and correct copy of the foregoing document entitled (specify): **NOTICE AND MOTION TO CHAPTER 13 CASE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On March 8, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On March 8, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addresses as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor
GHIUZELIAN, ROBERT DANIEL

Attorney for Debtor
BENJAMIN R HESTON

53 MEADOW VIEW DR.
POMONA, CA 91766

19700 FAIRCHILD RD STE 280
IRVINE, CA 92612-

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on March 8, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under laws of the United States that the foregoing is true and correct.

March 8, 2023
Date

Carlos Robles
Printed Name

/s/ Carlos Robles
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.